

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOSEPH PAVUSCKO, :  
: 4:08-cv-1878  
Plaintiff, :  
: Hon. John E. Jones III  
v. :  
: Hon. Malachy E. Mannion  
KATRINA FIALA, :  
: Defendant. :

**ORDER**

**August 4, 2010**

In accordance with the Memorandum issued on today's date, it is hereby

**ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Malachy E. Mannion (Doc. 22) is **ADOPTED IN PART** and **REJECTED IN PART** to the following extent:
  - a. Defendant's Motion for Summary Judgment (Doc. 19) is **GRANTED** in its entirety.
  - b. The Clerk of Court is directed to **CLOSE** the file on this case.

s/ John E. Jones III  
John E. Jones III  
United States District Judge